

Serial No.: 10/665,260
Docket No.: P21-155424M/MNN
NGB.286

REMARKS

Applicant submits a Petition and Fee for a Three-Month Extension of Time.

Claims 2-3, 5-6, and 12-16 are all the claims presently pending in the application.

Claims 1, 4, and 10-11 have been canceled, and claims 2 and 5 have been amended to more completely define the invention.

It is noted that the claim amendments herein are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims, or for any statutory requirements of patentability.

Further, it is noted that, notwithstanding any claim amendments made herein, Applicants' intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1, 3-4, 11 and 14-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Moretz, et al. (U.S. Patent No. 5,845,749) (hereinafter "Moretz"). Claims 2, 5-6, 12-13 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Thackston, et al. (U.S. Patent No. 6,345,583) (hereinafter "Thackston"). Claims 1, 4 and 10-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bivens, et al. (U.S. Patent No. 6,269,919) (hereinafter "Bivens").

These rejections are respectfully traversed since there are features of the claimed invention that are taught or suggested by the cited references.

I. THE PRIOR ART REFERENCES

A. The Moretz Reference

The Examiner alleges that the invention of claims 1, 3-4, 11, and 14-15 are anticipated by Moretz. However, Applicant submits that the reference does not teach or suggest each and every element of the claimed invention.

In the claimed invention, the piston and the string are integrally molded so that an operation of hooking the string to the piston can be omitted. By doing so, the assembling operation of the damper can be facilitated and the cost of the damper can be reduced. However, it is difficult to try to integrally mold the piston and the string, because strength of the string is limited.

Moretz discloses that the string is a tubular stem 36 (Figure 2). This arrangement seems to be good in ensuring strength of the string, because the cross-sectional area of the string can be widely taken. However, when it comes to using a thin string as shown in Figures 9-11 (Second Embodiment) of Moretz, even Moretz gives up an integral molding of the piston and the string. In fact, Moretz employs a method of fixing the strand 106 to the piston as follows: First, molding the strand 106 is performed separately from the piston. Then, fixing the strand 106 to the piston is performed by the use of a head 108. This is because of a) the difficulty in molding the piston, which is relatively large in volume, integrally with the string, which is thin and weak, and b) the insufficient strength of the string.

Ito, the inventor, came up with the invention to solve the problems of a) and b) as above. Specifically, Ito employs the following features: the string member branches into a

Serial No.: 10/665,260
Docket No.: P21-155424M/MNN
NGB.286

plurality of portions; the piston-side ends of the plurality of portions connect different portions of the piston; and the other ends of the plurality of portions come together.

By having these features, the claimed invention has the following advantages:

- 1) At the time of injection molding, the injected molten resin flows into the portion 5a (of the piston 5) through the plurality of portions. Alternatively, it is possible to have the molten resin flow into one of the portions through the portion 5a.
- 2) Because the branched portions connect to the different portions of the piston, it is possible to prevent the piston being inclined in the cylinder, so that the piston moves smoothly inside the cylinder.
- 3) While having the advantage of the above 2), the other ends of the portions come together to form the single portion 5a, so that the portion 5a can be easily fixed to a vehicle or a glove box.
- 4) By having the plurality of portions, a sufficient strength can be expected for the string member so that the string member would not overstretch when being used for a long period.
- 5) As the string member branches into a plurality of portions, the entire strength can be ensured even when each of the portions is thin. As each of the strings becomes thinner (in other words, each of areas of the cross-sections gets smaller), the difference of the cooling rates between the peripheral portions and the center portions of the strings gets smaller. Apparently, the claimed invention enables the strength of the string member to be uniformly increased.

Serial No.: 10/665,260
Docket No.: P21-155424M/MNN
NGB.286

Additionally, the feature of a flat belt shape as recited in claim 3 can realize advantages similar to those of claim 1. Because the string is flat, the cooling rate can be made uniform so that the above 5) can be realized. By making the width of the string large, the above 4) can be realized. Obviously, the above advantage of 3) can be realized. By making the width of the string large, the advantages similar to the above 1) and 2) can be achieved.

Regarding claim 5, in which the guide cap is used instead of the piston, the advantages of at least 1), 3), 4), and 5) can be achieved.

In light of the above, Applicant submits that there are elements of the invention of claims 2-3, 5-6, and 12-16 that are not taught or suggested by Moretz.

Further, none of the other prior art of record, alone or in combination with Moretz, teaches or suggests the claimed invention.

III. CONCLUSION

In view of the foregoing, Applicant submits that claims 2-3, 5-6, and 12-16, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

Serial No.: 10/665,260
Docket No.: P21-155424M/MNN
NGB.286

The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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